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Attorneys for Plaintiff and Counterdefendant  
TETSUYA NAKAMURA

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TETSUYA NAKAMURA,  
Plaintiff,  
v.  
SUNDAY GROUP INCORPORATED, *et al.*,  
Defendants.

SUNDAY GROUP INCORPORATED AND  
TOSHIKI (TODD) MITSUISHI  
Counterclaimants,  
v.  
TETSUYA NAKAMURA,  
Counterdefendant.

Case No.: 2:22-cv-01324-MMD-EJY

STIPULATION AND [PROPOSED]  
ORDER EXTENDING TIME TO  
RESPOND TO COUNTERCLAIM AND  
SETTING BRIEFING SCHEDULE ON  
MOTION TO DISMISS (FIRST  
REQUEST)

1 Plaintiff and Counterdefendant Tetsuya Nakamura (“Dr. Nakamura”) and Defendants Sunday  
2 Group Incorporated, SGI Trust, Toshiki (Todd) Mitsuishi and James Pack (collectively,  
3 “Defendants”), by and through counsel, hereby stipulate as follows:

4 Whereas Defendants filed their Answer and Counterclaim on May 8, 2023 (ECF No. 47), in  
5 which all Defendants answered the Complaint and two defendants, Sunday Group Incorporated and  
6 Toshiki (Todd) Mitsuishi (“Counterclaimants”), alleged four causes of action against Dr. Nakamura;

7 WHEREAS, Dr. Nakamura’s response to the Counterclaim is currently due on May 30, 2023;

8 WHEREAS, Dr. Nakamura intends to move to dismiss the Counterclaim;

9 WHEREAS, the parties now having conferred on scheduling matters have agreed to a  
10 schedule for Dr. Nakamura’s contemplated motion(s) to dismiss, to accommodate various scheduling  
11 conflicts and holiday schedules;

12 WHEREAS, this is the first stipulation for extension of time to respond to the Counterclaim;

13 **IT IS ACCORDINGLY STIPULATED**, pursuant to Civil L.R. 6-1 and 6-2, by and between  
14 the undersigned counsel for the parties, that:

- 15
- 16 1. The deadline for Dr. Nakamura to move, answer, or otherwise respond to the  
Counterclaim is July 7, 2023;
  - 17 2. In the event Dr. Nakamura moves to dismiss the Counterclaim, Counterclaimants  
18 shall file an opposition to Dr. Nakamura’s motion(s) on or before August 7, 2023;
  - 19 3. In the event Dr. Nakamura moves to dismiss the Counterclaim, Dr. Nakamura  
20 shall file any replies to Counterclaimants opposition(s) to the motion(s) to dismiss  
on or before August 28, 2023.
- 21  
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1  
2 Dated: May 31, 2023

**FENWICK & WEST LLP**

3 By: /s/Felix S. Lee

4 Felix S. Lee  
5 Christopher J. Steskal  
6 Casey O'Neill  
7 Claire Mena

8 *and*

**FENNEMORE CRAIG, P.C.**

9 By: /s/John D. Tennert III

10 John D. Tennert III (Nevada Bar No. 11728)  
11 Wade Beavers (Nevada Bar No. 13451)

12 Attorneys for Plaintiff and Counterdefendant  
13 TETSUYA NAKAMURA

14 Dated: May 31, 2023

**CLYDE SNOW & SESSIONS LLP**

15 By: Timothy R. Pack

16 Thomas A. Brady  
17 Timothy R. Pack  
18 Keith M. Woodwell

19 Attorneys for Defendants  
20 SUNDAY GROUP INCORPORATED,  
21 SGI TRUST, TOSHIKI (TODD) MITSUISHI  
22 AND JAMES PACK

23  
24 **ORDER**

25 IT IS SO ORDERED:

26  
27 THE HONORABLE ELAYNA J. YOUCHAH  
28 UNITED STATES MAGISTRATE JUDGE

DATED: \_\_\_\_\_